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SENATE BILL NO. 1332
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Commerce and Labor
on January 24, 2025)
(Patron Prior to Substitute—Senator Marsden)

A *BILL to amend and reenact § 46.2-1233.1 of the Code of Virginia and to repeal the second enactment of Chapter 323 of the Acts of Assembly of 2023, as amended by Chapter 537 of the Acts of Assembly of 2024, relating to charges for towing and storage of certain vehicles.*

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1233 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1233.1. Limitation on charges for towing and storage of certain vehicles.

A. Unless different limits are established by ordinance of the local governing body pursuant to § 46.2-1233, as to vehicles towed or removed from private property, no charges imposed for the towing, storage, and safekeeping of any passenger car removed, towed, or stored without the consent of its owner shall be in excess of the maximum charges provided for in this section. No hookup and initial towing fee of any passenger car shall exceed ~~\$150~~ \$210. For towing a vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday, an additional fee of no more than \$30 per instance may be charged; however, in no event shall more than two such fees be charged for towing any such vehicle. No charge shall be made for storage and safekeeping for a period of 24 hours or less. Except for fees or charges imposed by this section or a local ordinance adopted pursuant to § 46.2-1233, no other fees or charges shall be imposed during the first 24-hour period.

B. The governing body of any county, city, or town may by ordinance, with the advice of an advisory board established pursuant to § 46.2-1233.2, (i) provide that no towing and recovery business having custody of a vehicle towed without the consent of its owner impose storage charges for that vehicle for any period during which the owner of the vehicle was prevented from recovering the vehicle because the towing and recovery business was closed and (ii) place limits on the amount of fees charged by towing and recovery operators. Any such ordinance limiting fees shall also provide for periodic review of and timely adjustment of such limitations.

C. (Expires July 1, 2025) In addition to the fees authorized pursuant to this section, towing and recovery operators are authorized to charge a fuel surcharge fee of no more than \$20 for each vehicle towed or removed from private property without the consent of its owner. Notwithstanding any other provision of this chapter, no local governing body shall limit or prohibit the fee authorized pursuant to this subsection. *However, no towing and recovery operator is authorized to charge such a fuel charge in any locality in which the governing body of such locality has established an ordinance after July 1, 2025 to set reasonable limits on fees charged for the towing or removal of vehicles on private property in accordance with the provisions of § 46.2-1233. Nothing in this subsection shall require a governing body of a locality to raise any previously set limits.*

2. That the second enactment of Chapter 323 of the Acts of Assembly of 2023, as amended by Chapter 537 of the Acts of Assembly of 2024, is repealed.

SENATE SUBSTITUTE

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